

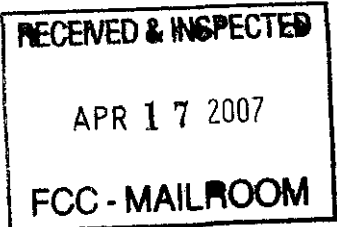
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Memorandum

TECHNOLOGY SERVICES

Bryan Independent School District
800 S. Texas, Bryan, Texas 77803
Telephone (979) 209-1171 Fax: 19791 209-1164
bergland@bryanisd.org

Jennifer Bergland
To: FCC
From: Jennifer Bergland
Re: CC Docket No. 02-6 and 96-45 Request for Review
Date: April 12, 2007



THIS IS a Request for Review of USAC Administrator's Decision dated February 16, 2007

FRN numbers: 1404847, 1404852, 1404853, and 1404861

The reason for denial of the USAC Appeal: "The FRNs were denied because 30% or more of these FRNs include requests for UPS Refresher Kits and/or Replacement Batteries which **are** ineligible products based on program rules. The online Item 21 Attachments identified that over 30% of these funding requests is for UPS Refresher Kits and/or Replacement Batteries. Consequently, the appeal is denied."

The Replacement Batteries and the **UPS** Refresher Kits **will** be used to replace the old battery in the **UPS** so that an existing **UPS** can still be used. These batteries **will** not be placed in storage to be used at a later date. They **will** be used now. This was the most cost effective method of extending the life of the **UPS**. The other alternative was to purchase a brand new **UPS** which would have cost more for the district as well the Erate program. If this policy stands, the district **will** be forced to purchase brand new UPSs which is **NOT** the most cost effective solution. The Eligible Services List for Fund Year 2006 does not indicate that these **are** ineligible products. (See page 51 of the Schools and Libraries' Eligible Service List for Funding Year 2006.) Please restore full **funding** for FRN numbers 1404847, 1404852, 1404853, and 1404861.

Appellant name:	Bryan Independent School District
Applicant name:	Bryan Independent School District
Service Provider:	NSX Technologies, Inc
BEN	141398
Service Provider SPIN:	143022338
Form 471 number:	510883

Jennifer Bergland
Chief Technology Officer
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979-209-1164
bergland@bryanisd.org

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List A B C D E

Attachments: USAC Administrator's Decision on Appeal - Funding Year 2006-2007: 2-16-2007
Funding Commitment Decision Letter: 11-29-2006
Item 21 Attachments for 1404847, 1404852, 1404853, and 1404861



Universal Service Administrative Company
Schools & Libraries Division

Administrator's Decision on Appeal – Funding Year 2006-2007

February 16, 2007

Jennifer Bergland
Bryan Independent School District
800 South Texas Avenue
Bryan, TX 77802

Re: Applicant Name: BRYAN INDEP SCHOOL DISTRICT
Billed Entity Number: 141398
Form 471 Application Number: 510883, Jones, Milam, BHS, Branch
Funding Request Number(s): 1404847, 1404852, 1404853, 1404856, 1404860,
1404861, 1404862, 1404870
Your Correspondence Dated: January 24, 2007

After thorough review and investigation of all relevant facts, the Schools and Libraries Division (SLD) of the Universal Service Administrative Company (USAC) **has** made its decision in regard to **your** appeal of USAC's Funding Year 2006 Funding Commitment Decision Letter for the Application Number indicated above. **This** letter explains the basis of USAC's decision. The date of this letter begins the 60 day time period for appealing **this** decision to the Federal Communications Commission (FCC). If your Letter of Appeal included more than one Application Number, please note that you will receive a separate letter for each application.

Funding Request Number(s): 1404847, 1404852, 1404853, 1404856, 1404860,
1404861, 1404862, 1404870

Decision on Appeal: **Denied**
Explanation:

- Upon thorough review of the appeal letter and the relevant documentation, the USAC has reviewed and assessed your appeal. The USAC determined **that** these funding requests were properly evaluated. The FRNs were denied because 30% or more of these **FRNs** include requests for UPS Refresher Kits and/or Replacement Batteries, which are ineligible products based on program rules. The online ~~Item~~ 21 Attachments identified that over 30% of these funding requests is for **UPS** Refresher Kits and/or Replacement Batteries. Consequently, the appeal is denied.

- Your Form **471** application included costs for ~~the~~ following ineligible products and/or services: UPS Refresher Kit and/or Replacement Batteries. FCC Rules provide that funding may be approved only for eligible products and services. **47 C.F.R.**secs. 54.502, 54.503. The USAC website contains a list of eligible products ~~and~~ services. See the website, www.usac.org/sl, Eligible Services List. **FCC Rules further require** that if 30% or more of the **applicant's funding request** includes ineligible products ~~and/or~~ services, then the funding request ~~must~~ be denied, otherwise ~~the~~ funding request will be reduced accordingly. **47 C.F.R.**sec. 54.504(d).

If your appeal has been approved, but funding has been reduced or denied, you may appeal these decisions to either USAC or the FCC. For appeals that have **been** denied in full, partially approved, dismissed, or canceled, you may file an appeal with the FCC. You should refer to CC Docket No. **02-6** on the **first** page of your appeal to the FCC. Your appeal must be received or postmarked within 60 days of the date on this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. If you are submitting your appeal via United States Postal Service, send to: FCC, Office of the Secretary, 445 12th Street SW, Washington, DC 20554. Further information and options for filing an appeal directly with the FCC can be found in the "Appeals Procedure" posted in the Reference **Area** of the SLD section of the USAC website or by contacting the Client Service Bureau. We strongly recommend that you use the electronic filing options.

We ~~thank~~ you for your continued support, patience and cooperation during the appeal process.

Schools and Libraries Division
Universal Service Administrative Company

Jennifer Bergland
Bryan Independent School District
800 South Texas Avenue
Bryan, TX 77802

Billed Entity Number: 141398
Form 471 Application Number: 510883
Form 486 Application Number:

FUNDING COMMITMENT REPORT
Billed Entity Name: BRYAN INDEP SCHOOL DISTRICT
BEN: 141398
Funding Year: 2006

Form 471 Application Number: 510883
Funding Request Number: 1404847 ✓
Funding Status: Not Funded
Category of Service: Internal Connections
Form 470 Application Number: 118970000552618
SPIN: 143022338
Service Provider Name: NSX Technologies, Inc
Contract Number: #3-06-07
Billing Account Number: 979-209-1000
Service Start Date: 07/01/2006
Contract Expiration Date: 06/30/2007
Site Identifier: 90094
Number of Months Recurring Service Provided in Funding Year: 12
Annual Pre-discount Amount for Eligible Recurring Charges: \$.00
Annual Pre-discount Amount for Eligible Non-recurring Charges: \$2,852.93
Pre-discount Amount: \$2,852.93
Discount Percentage Approved by the USAC: N/A
Funding Commitment Decision: \$0.00 - Incl. svcs / or product(s)
Funding Commitment Decision Explanation: 30% or more of this FRN includes a request
for Replacement Battery, UPS Refresher Kit which is an ineligible
product(s)/service(s) based on program rules

FCDL Date: 11/29/2006

Wave Number: 032

Last Allowable Date for Delivery and Installation for Non-Recurring Services: 09/30/2007

Funding Request Number: 1404852 ✓

Funding Status: Not Funded

Category of Service: Internal Connections
Form 470 Application Number: 118970000552618
SPIN: 143022338
Service Provider Name: NSX Technologies, Inc
Contract Number: #3-06-07
Billing Account Number: 979-209-1000
Service Start Date: 07/01/2006
Contract Expiration Date: 06/30/2007
Site Identifier: 90111
Number of Months Recurring Service Provided in Funding Year: 12
Annual Pre-discount Amount for Eligible Recurring Charges: \$.00
Annual Pre-discount Amount for Eligible Non-recurring Charges: \$2,482.46
Pre-discount Amount: \$2,482.46
Discount Percentage Approved by the USAC: N/A
Funding Commitment Decision: \$0.00 - Incl. svcs / or product(s)
Funding Commitment Decision Explanation: 30% or more of this FRN includes a request
for Replacement Batteries which are ineligible product(s)/service(s) based on program
rules

FCDL Date: 11/29/2006

Wave Number: 032

Last Allowable Date for Delivery and Installation for Non-Recurring Services: 09/30/2007

FUNDING COMMITMENT REPORT
Billed Entity Name: BRYAN INDEP SCHOOL DISTRICT
BEN: 141398
Funding Year: 2006

Form 471 Application Number: 510883
Funding Request Number: 1404853 ✓
Funding Status: Not Funded
Category of Service: Internal Connections
Form 470 Application Number: 118970000552618
SPIN: 143022338
Service Provider Name: NSX Technologies, Inc
Contract Number: #3-06-07
Billing Account Number: 979-209-1000
Service Start Date: 07/01/2006
Contract Expiration Date: 06/30/2007
Site Identifier: 90112
Number of Months Recurring Service Provided in Funding Year: 12
Annual Pre-discount Amount for Eligible Recurring Charges: \$.00
Annual Pre-discount Amount for Eligible Non-recurring Charges: \$2,482.46
Pre-discount Amount: \$2,482.46
Discount Percentage Approved by the USAC: N/A
Funding Commitment Decision: \$0.00 - Incl. svcs. / or product(s)
Funding Commitment Decision Explanation: 30% or more of this FRN includes a request for Replacement Batteries which are ineligible product(s)/service(s) based on program rules.

FCDL Date: 11/29/2006
Wave Number: 032
Last Allowable Date for Delivery and Installation for Non-Recurring Services: 09/30/2007

Funding Request Number: 1404855
Funding Status: As Yet Unfunded
Category of Service: Internal Connections
Form 470 Application Number: 118970000552618
SPIN: 143022338
Service Provider Name: NSX Technologies, Inc
Contract Number: #3-06-07
Billing Account Number: 979-209-1000
Service Start Date: 07/01/2006
Contract Expiration Date: 06/30/2007
Site Identifier: 90109
Number of Months Recurring Service Provided in Funding Year: 12
Annual Pre-discount Amount for Eligible Recurring Charges:
Annual Pre-discount Amount for Eligible Non-recurring Charge:
Pre-discount Amount:
Discount Percentage Approved by the USAC:
Funding Commitment Decision:

FCDL Date: 11/29/2006
Wave Number: 032
Last Allowable Date for Delivery and Installation for Non-Recurring Services: 09/30/2007

FUNDING COMMITMENT REPORT
Billed Entity Name: BRYAN INDEP SCHOOL DISTRICT
BEN: 141398
Funding Year: 2006

Form 471 Application Number: 510883
Funding Request Number: 1404861
Funding Status: Not Funded
Category of Service: Internal Connections
Form 470 Application Number: 118970000552618
SPIN: 143022338
Service Provider Name: NSX Technologies, Inc
Contract Number: #3-06-07
Billing Account Number: 979-209-1000
Service Start Date: 07/01/2006
Contract Expiration Date: 06/30/2007
Site Identifier: 90108
Number of Months Recurring Service Provided in Funding Year: 12
Annual Pre-discount Amount for Eligible Recurring Charges: \$.00
Annual Pre-discount Amount for Eligible Non-recurring Charges: \$1,480.31
Pre-discount Amount: \$1,480.31
Discount Percentage Approved by the USAC: N/A
Funding Commitment Decision: \$0.00 - Incl. svcs. / or product(s)
Funding Commitment Decision Explanation: 30% or more of this FRN includes a request for UPS refresher kit which is an ineligible product(s)/service(s) based on program rules.

FCDL Date: 11/29/2006
Wave Number: 032
Last Allowable Date for Delivery and Installation for Non-Recurring Services: 09/30/2007

Funding Request Number: 1404862
Funding Status: Not Funded
Category of Service: Internal Connections
Form 470 Application Number: 118970000552618
SPIN: 143022338
Service Provider Name: NSX Technologies, Inc
Contract Number: #3-06-07
Billing Account Number: 979-209-1000
Service Start Date: 07/01/2006
Contract Expiration Date: 06/30/2007
Site Identifier: 90095
Number of Months Recurring Service Provided in Funding Year: 12
Annual Pre-discount Amount for Eligible Recurring Charges: \$.00
Annual Pre-discount Amount for Eligible Non-recurring Charges: \$1,571.34
Pre-discount Amount: \$1,571.34
Discount Percentage Approved by the USAC: N/A
Funding Commitment Decision: \$0.00 - Incl. svcs. / or product(s)
Funding Commitment Decision Explanation: 30% or more of this FRN includes a request for Replacement Batteries which are ineligible product(s)/service(s) based on program rules.

FCDL Date: 11/29/2006
Wave Number: 032
Last Allowable Date for Delivery and Installation for Non-Recurring Services: 09/30/2007

USAC

Item 21 Attachment

Internal Connections " Funding Year 2006

Applicant Details

Applicant Name BRYAN INDEP SCHOOL DISTRICT
 Billed Entity Number 141398
 Form 471 Application Number 510883
 Funding Request Number [REDACTED]
 Service Provider NSX Technologies, Inc
 Attachment Number 7 Navam UPS
 Narrative description of this Funding Request New APC battery backup
 Location of components

Make	Model	Product SKU	Line Total
APC Charge -UPS			
1 Refresher Kit #27		CURK27	\$484.16
for 2200RMXL			
Description			
Function (Product)		Data Protection / Battery Backup	Uninterruptible Power Supply
Quantity		1	
Unit Cost			\$484.16
Eligible Cost			\$484.16
InEligible Cost			\$0.00
2 APC Smart-UPS			
2200 RMXL		SU2200RMXL3U	\$996.15
Description			
Function (Product)		Data Protection / Battery Backup	Uninterruptible Power Supply
Quantity		1	
Unit Cost			\$996.15
Eligible Cost			\$996.15
InEligible Cost			\$0.00
Total:			\$1,480.31
Funding Requested on 471:			\$1,480.31

Date Submitted

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Item 21 Attachment

Internal Connections - Funding Year 2006

Applicant Details

Applicant Name BRYAN INDEP SCHOOL DISTRICT
 Billed Entity Number 141398
 Form 471 Application Number 510883
 Funding Request Number [REDACTED]
 Service Provider NSX Technologies, Inc
 Attachment Number 1Crockett UPS
 Narrative description of this Funding Request New APC battery backup
 Location of components

Hake	Model	Product SKU	Line Total
Replacement 1 Batteries for APC SU48R3XLBP		RBC27	\$733.10
Description			
		Function (Product)	Data Protection(Uninterruptible Power Supply / Battery Backup)
		Quantity	2
		unit cost	\$366.55
		Eligible Cost	\$366.55
		InEligible Cost	\$0.00
2 Refresher Kit for APC SU2200NET		CURK11	\$300.07
Description			
		Function (Product)	Data Protection(Uninterruptible Power Supply / Battery Backup)
		Quantity	1
		Unit Cost	\$300.07
		Eligible Cost	\$300.07
		InEligible Cost	\$0.00
3 APC Smart-UPS XL 3000VA RM		SU3000RMXL3U	\$1,195.00
Description			
		Function (Product)	Data Protection(Uninterruptible Power Supply / Battery Backup)
		Quantity	1
		Unit Cost	\$1,195.00
		Eligible Cost	\$1,195.00
		InEligible Cost	\$0.00
4 Refresher Kit for APC		CURK12	\$624.76

SU5000R5XLTXFMR

Description	
Function (Product)	Data Supply / n(Units) / ary Backup) ple Power
Quantity	2
Unit Cost	\$312.38
Eligible Cost	\$312.38
InEligible Cost	\$0.00
Total:	\$2,852.93
Funding Requested on 471:	\$2,852.93

Date Submitted

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USAC

Item 21 Attachment

Internal Connections - Funding Year 2006

Applicant Details

Applicant Name BRYAN INDEP SCHOOL DISTRICT
Billed Entity Number 141398
Form 471 Application Number 510883
Funding Request Number [REDACTED]
Service Provider NSX Technologies, Inc
Attachment Number 2 Jones UPS
Narrative description of this Funding Request New APC battery backup
Location of components

Make	Model	Product SKU	Una Total
Replacement 1 Batteries for APC SU48R3XLBP		RBC27	\$733.10
Description			
Function (Product)		Data Protection(Uninterruptible Power Supply / Battery Backup)	
Quantity		2	
Unit Cost		\$366.55	
Eligible Cost		\$366.55	
InEligible Cost		\$0.00	
Replacement 2 battreies for APC SUA2200RM2U		RBC43	\$224.39
Description			
Function (Product)		Data Protection(Uninterruptible Power Supply / Battery Backup)	
Quantity		1	
Unit cost		\$224.39	
Eligible Cost		\$224.39	
InEligible Cost		\$0.00	
Refresher Kit for 3 APC SU5000R5XLTXFMR		CURK12	\$624.76
Description			
Function (Product)		Data Protection(Uninterruptible Power Supply / Battery Backup)	
Quantity		2	
Unit Cost		\$312.38	
Eligible Cost		\$312.38	
InEligible Cost		\$0.00	

4 Refresher Kit for
APC SU2200NET

CURK11

\$900.21

Description

Function (Product)

Data Protection(Uninterruptible Power
Supply / Battery Backup)

Quantity 3

Unit Cost

\$300.07

Eligible Cost

\$300.07

InEligible Cost

\$0.00

Total:

\$2,482.46

Funding Requested on 471:

\$2,482.46

Date Submitted

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Item 21 Attachment

Internal Connections - Funding Year 2006

Applicant Details

Applicant Name BRYAN INDEP SCHOOL DISTRICT
 Billed Entity Number 141398
 Form 471 Application Number 510883
 Funding Request Number [REDACTED]
 Service Provider NSX Technologies, Inc
 Attachment Number 3 Milam UPS
 Narrative description of this Funding Request New APC battery backup
 Location of components

Make	Model	Product SKU	Line Total
Refresher Kit for			
1 APC		CURK12	\$624.76
SU5000R5XLTXFMR			

Description

Function (Product) Data Protection(Uninterruptible Power Supply / Battery Backup)

Quantity 2

Unit Cost \$312.38

Eligible Cost \$312.38

Ineligible cost \$0.00

Rebplcement			
2 batteries for APC		RBC43	\$224.39
SUA2200RM2U			

Description

Function (Product) Data Protection(Uninterruptible Power Supply / Battery Backup)

Quantity 1

Unit cost \$224.39

Eligible Cost \$224.39

Ineligible Cost \$0.00

Replacement			
3 batteries for APC		RBC27	\$733.10
SU48R3XLBP			

Description

Function (Product) Data Protection(Uninterruptible Power Supply / Battery Backup)

Quantity 2

Unit Cost \$366.55

Eligible Cost \$366.55

Ineligible Cost \$0.00

4 Refresher Kit for
APC SU2200NET

CURK11

\$900.21

Description

Function (Proc	Data Pr	ti (U	t rru	it t	Power
	Supply /	tt y l	k ip)		

Quantity 3

Unit Cost \$300.07

Eligible Cost \$300.07

InEligible Cost \$0.00

Total: \$2,482.46

Funding Requested on 471: \$2,482.46

Date Submitted

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